

From: [Anne Foster](#)
To: [Garyg Miller](#); [Stephen Tzhone](#)
Subject: Fw: San Jacinto River Site - Consent to Access for Sampling/Residential Sampling
Date: 08/04/2011 11:04 AM
Attachments: [Redline 638845 5- 638845 6.pdf](#)
[AUSTIN 1-#638845-v6-San Jacinto - Consent to Access for Sampling.DOC](#)

The final access form is at the end. Thanks.

----- Forwarded by Anne Foster/R6/USEPA/US on 08/04/2011 11:03 AM -----

From: "Axe, Al" <aaxe@winstead.com>
To: Anne Foster/R6/USEPA/US@EPA
Cc: 'David Keith' <dkeith@anchorgea.com>, Garyg Miller/R6/USEPA/US@EPA, Jessica Hernandez/R6/USEPA/US@EPA, "Inglin, Sonja A." <singlin@bakerlaw.com>
Date: 08/03/2011 04:25 PM
Subject: RE: San Jacinto River Site - Consent to Access for Sampling/Residential Sampling

Anne,

Attached please find clean and redlined versions of the access agreement for residential sampling. Please let us know if this meets with your approval.

Also, in accordance with our discussions today, here is the contact information for Brian Darnell and Big Star's attorney, Bill Morgan:

Brian Darnell
Vice President & Facility Security Officer (FSO)
San Jacinto River Fleet, L.L.C.
Office 281-452-2222
Office Direct 281-860-2163
Fax 832-201-0450
Email briandarnell@sjrfleet.com

William L. H. Morgan, Jr.
Attorney & Counselor at Law
12815 Gulf Freeway
Houston, Texas 77034
Telephone 281 481 5807
Facsimile 888 233 4627
Email Billmorgan@msn.com

Please let us know if you have any questions. Thanks. Al



9549027

Albert R. Axe, Jr.
Direct: (512) 370-2806
Fax: (512) 370-2850
profile link: <http://www.winstead.com/Attorneys/aaxe>

From: Anne Foster [mailto:Foster.Anne@epamail.epa.gov]
Sent: Wednesday, August 03, 2011 2:39 PM
To: Axe, Al
Cc: 'David Keith'; Garyg Miller; Jessica Hernandez; 'Inglin, Sonja A.'
Subject: RE: San Jacinto River Site - Consent to Access for Sampling/Residential Sampling

Sorry, I got Sonja's e-mail after I sent mine. 3:30 would be preferable for me.

Attached is a copy of the letter sent by EPA last Friday to San Jacinto River Fleet regarding its activities at the site. The EPA also intends to pursue access with Big Star/San Jacinto River Fleet. It may already exist, but it would be helpful if you could provide a summary of your problems with obtaining access in a letter to Gary Miller that we could use to support any future action.

Thank you.

From: "Axe, Al" <aaxe@winstead.com>
To: Anne Foster/R6/USEPA/US@EPA
Cc: 'David Keith' <dkeith@anchorqea.com>, Garyg Miller/R6/USEPA/US@EPA, Jessica Hernandez/R6/USEPA/US@EPA, "Inglin, Sonja A." <singlin@bakerlaw.com>
Date: 08/03/2011 02:29 PM
Subject: RE: San Jacinto River Site - Consent to Access for Sampling/Residential Sampling

Either time works for me. I need to be somewhere at 5 CT. Thanks. Al

Albert R. Axe, Jr.
Direct: (512) 370-2806
Fax: (512) 370-2850

profile link: <http://www.winstead.com/Attorneys/aaxe>

From: Anne Foster [<mailto:Foster.Ann@epamail.epa.gov>]
Sent: Wednesday, August 03, 2011 2:20 PM
To: Axe, Al
Cc: 'David Keith'; Garyg Miller; Jessica Hernandez; 'Inglin, Sonja A.'
Subject: Re: San Jacinto River Site - Consent to Access for Sampling/Residential Sampling

Would 3:30 or 4:00 central today be convenient for both of you? Thanks.

From: "Axe, Al" <aaxe@winstead.com>
To: Anne Foster/R6/USEPA/US@EPA
Cc: Jessica Hernandez/R6/USEPA/US@EPA, Garyg Miller/R6/USEPA/US@EPA, 'David Keith' <dkeith@anchorqea.com>, 'Inglin, Sonja A.' <singlin@bakerlaw.com>
Date: 08/03/2011 01:41 PM
Subject: San Jacinto River Site - Consent to Access for Sampling/Residential Sampling

Anne,

Attached please find clean and redlined versions of the consent to access for the residential soil sampling program. The agreement has been revised in an attempt to address your concerns about the initial draft agreement and to revise the depth of the soil sampling in accordance with discussions between David Keith, our Project Coordinator, and Gary Miller of EPA. Please let Sonja and I know when you are available this afternoon for a call to discuss this matter, as well as the Big Star access issue.

I am available all afternoon. Sonja is as well, except from 2-3 CDT.

We look forward to visiting with you later this afternoon. Al

Albert R. Axe, Jr.

Direct: (512) 370-2806

Fax: (512) 370-2850

profile link: <http://www.winstead.com/Attorneys/aaxe>

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